

STAMFORD PLANNING BOARD  
REGULAR MEETING  
APPROVED MINUTES, TUESDAY, JULY 1, 2014  
4<sup>TH</sup> FLOOR CAFETERIA, GOVERNMENT CENTER  
888 WASHINGTON BLVD., STAMFORD, CT

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Stamford Planning Board Members present were: Claire Fishman, Michael Totilo, Zbigniew Naumowicz, Roger Quick (Acting Chair), and Jay Tepper. Absent: Theresa Dell, Chair, and William Levin. Present for staff was David W. Woods, Ph.D., AICP, Principal Planner.

Mr. Quick, Acting Chair called the meeting to order at 6:30 p.m., and announced that Ms. Dell and Mr. Levin were absent for tonight's meeting. In addition, Mr. Quick announced that the City had lost two outstanding community leaders with the passing of Ernest DiMattia, Jr., President of Ferguson Library and Louis DeCarlo, former Police Chief – the City will miss both.

**New Business:**

1. **Mill River Corridor Urban Renewal Project Plan, Minor Amendment and Determination of Master Plan Consistency.** Rachael Goldberg, Attorney for the Urban Redevelopment Commission, and William Hennessey, Outside Attorney made brief presentations on this minor amendment to the Mill River Corridor UR Project Plan. After considerable Board discussion, Mr. Tepper moved to recommend approval of this minor amendment to the Mill River Corridor Urban Renewal Project Plan, and that this amendment is consistent with the 2002 Master Plan; Mr. Naumowicz seconded the motion, and it passed unanimously with eligible members present voting, 5 -0 (Fishman, Naumowicz, Quick, Tepper, and Totilo).
2. **Lease Agreement Willard Manor** After brief discussion, Mr. Tepper moved add this item to the agenda; Ms. Fishman seconded the motion, and it passed unanimously with eligible members present voting, 5 -0 (Fishman, Naumowicz, Quick, Tepper, and Totilo). Upon being placed on the agenda, Jane Freeman attorney for Willard Manor spoke about the need to amend the current lease agreement between the City of Stamford and Willard Manor in order to qualify for grants and loans. After some discussion, Mr. Quick moved to recommend approval of this lease agreement between the City and Willard Manor, and that this amendment is consistent with the 2002 Master Plan; Mr. Totilo seconded the motion, and it passed unanimously with eligible members present voting, 5 -0 (Fishman, Naumowicz, Quick, Tepper, and Totilo).

**Zoning Board Referrals:**

1. **ZB Appl. 214-07 West Side Development Partners, LLC, 1937 West Main Street LOT B-1- Special Exception (Large Scale Development) & Site Plans Requested Uses Approval,** the applicant requests approval of a Special Exception under Section 7.5 to permit Large Scale Development and Site Plans/Requested Uses approval related to the construction of over 100 parking spaces as well as traffic circulation and site improvements. The subject property is located at 1937 West Main Street (Lot B-1) and in the M-L zone.
2. **ZB Appl. 214-08 West Side Development Partners, LLC, 1937 West Main Street LOT B-2 - Special Exception (Large Scale Development) & Site Plans/Requested Uses approval,** the applicant requests approval of a Special Exception under Section 7.5 to permit Large Scale

Development and Site Plans/Requested Uses approval related to the construction of an ± 183,493 square foot flex-industrial building and smaller building (± 6,124 square feet) building to be used for retail and/or industrial/flex purposes with associated parking and site improvements. The subject property is located at 1937 West Main Street (Lot B-2) and in the M-L zone.

Agenda Items 1 & 2 were withdrawn at the applicant's request until a later meeting in order to allow the applicant to work with the City on some outstanding issues, especially relating to traffic and potential noise issues.

3. **ZB Appl. 214-04 HP Gateway Land I, LLC, 400 and 440 Washington Boulevard - Amended General Development Plan (GDP), Special Exception, Amended Final Site & Architectural Plans and Coastal Site Plan Review**, to modify the General Development Plan (ZB 201-05 and 210-06), a Special Exception and Coastal Site Plan Review approvals pursuant to the TCDD zoning regulations for a mixed-use transit-oriented development for a 6.27 acre property bounded by Washington Boulevard, Pulaski Street, the Rippowam River and by the Metro North Railroad/Transportation Center, comprised of two office towers, ground floor retail and commuter amenity space, and a below-grade parking garage. This modification increases Washington Boulevard garage entrance from three to six lanes, modifies the landscaping plan and public realm improvements, modifies the parking deck to eliminate an internal ramp down to Level 1 of the garage and shifts Phase 1 of the residential building 20 feet to the south. John Freeman, attorney for the applicant made a brief presentation outlining the issues from their perspective. David W. Woods, Principal Planner discussed this referral based on the planning perspective. Mr. Woods stated that it is appropriate to recommend approval with the recommendation that the Zoning Board require better access to the Mill River on the east side of the river at elevation 10 connecting the river walk on the north side of 95. (1) Since BLT has eliminated the staircase to the train station – it is appropriate that the applicant should make build connections to the Mill River trail and not just provide \$25,000 for planning; (2) It is clear that even though from a traffic engineering perspective, the driveway expanding from 3 lanes to 6 lanes will require extra planning relating to pedestrian safety, aesthetics such as adding different materials to the building such as stone, extra landscaping, etc. that the Zoning Board can think of. After some discussion, Mr. Totilo moved to recommend approval of The Planning Board unanimously voted to recommend that the Zoning Board approve ZONING BOARD APPLICATION #214-04, while suggesting that the Zoning Board confirm and strengthen Condition Number 7 of Zoning Board Certificate dated October 1, 2010 by:
  - Keeping the existing and strengthen the wording of the condition regarding working with Land Use Bureau staff and Mill River Collaborative to plan and develop the Mill River Park from north to south along the Gateway Garage on the east side of the river to the satisfaction of the Land Use Bureau Chief; while at the same time,
  - Delete the clause stating [the applicant] “shall make a payment to the City of Stamford, or a consultant designated by the City of Stamford, in the amount of \$25,000, to fund professional design services to evaluate this park planning question.” The Planning Board found these requests to be consistent with the 2002 Master Plan Category #9 COLLAR MIXED USE designation; Ms. Fishman seconded the motion, and it passed unanimously with eligible members present voting, 5 -0 (Fishman, Naumowicz, Quick, Tepper, and Totilo).

**Zoning Board of Appeals Referrals:**

1. **ZBA Appl. 033-14 111 West North Street**, the applicant is requesting a Special Exception as per Section 19-3.2 (E) (3) (4) to allow the use of an existing religious building for church services of 200 parishioners and existing school facility for prayer service, bible study, and business meeting. In addition, the applicant is requesting a variance to Section 10A to allow 67.9 feet ground coverage in lieu of 45 maximum allowed. After considerable discussion, Mr. Naumowicz moved to recommend denial of ZBA Application 033-14, for the following reasons: (a) The Application is incomplete, (b) The requested variances (including those not correctly identified, such as the variance needed for the 16 foot access driveway which violates Section 12-A-(6) requiring a 24-foot driveway), (c) The resulting loss of landscaping and intensification of use of this property is (not) consistent with Policy C 1-7, which states “Limit the expansion of pre-existing non-conforming uses allowed under the variance procedure,” and (d) The Special Exception standards which are intended to insure that the special exception uses are compatible and not injurious to the surrounding residential neighborhood. After some discussion, Mr. Totilo moved to recommend denial of ZBA Application 033-14; the denial is base based on the four reasons stated above, and that the proposed application is will negatively impact the neighborhood, and is not consistent with the 2002 Master Plan; Mr. Tepper seconded the motion, and it passed with eligible members present voting, 5-0 (For: Fishman, Naumowicz, Quick, Tepper, and Totilo).
2. **ZBA Appl. 039-14 40 Flying Cloud Road**. The applicant is requesting the following variance of Table III, Appendix B for relief of the rear yard setback of 27.5 feet in lieu of 30 feet required for a shed dormer on back of the house facing the water. After a brief discussion, Mr. Naumowicz moved to recommend approval of ZBA Application 039-14, and that this application is consistent with the 2002 Master Plan; Ms. Fishman seconded the motion, and it passed unanimously with eligible members present voting, 5 -0 (Fishman, Naumowicz, Quick, Tepper, and Totilo).
3. **ZBA Appl. 040-14 233 Dogwood Lane**, the applicant is requesting the following variances of Section 6 to allow an accessory structure in the side yare, and to be able to ask for a Special Exception to construct an accessory structure of 16 feet and 10 inches in height instead of the 15 feet required, and to allow a second story plywood floor for storage only. After a brief discussion, Mr. Tepper moved to recommend approval of ZBA Application 040-14, and that this application is consistent with the 2002 Master Plan; Mr. Totilo seconded the motion, and it passed unanimously with eligible members present voting, 5 -0 (Fishman, Naumowicz, Quick, Tepper, and Totilo).
4. **ZBA Appl. 041-14 180 Belltown Road**, the applicant is requesting the following variances of Table III, Appendix B to build a second story addition by granting relief of 35.4 feet street line instead of 40 feet required, allowing a 60.4 foot street center setback instead of the 55 feet required, 6.8 feet side yard requested instead of 10 foot minimum, and 16.2 combined side yard requested in lieu of 20 feet minimum. After a brief discussion, Mr. Totilo moved to recommend approval of ZBA Application 041-14, and that this application is consistent with the 2002 Master Plan; Mr. Tepper seconded the motion, and it passed unanimously with eligible members present voting, 5 -0 (Fishman, Naumowicz, Quick, Tepper, and Totilo).
5. **ZBA Appl. 042-14 575 Pacific Street**, the applicant is requesting the following variance Section 13.E Residential Signs to allow placement of two commercial signs on the front of a residential building in an RMF zone. The applicant is requesting to be allowed 99 square foot total commercial

signage on a building in a residential zone instead of 12 square feet allowed by code. After a brief discussion, Mr. Totilo moved to recommend approval of ZBA Application 041-14, and that this application is consistent with the 2002 Master Plan; Mr. Tepper seconded the motion, and it passed unanimously with eligible members present voting, 5 -0 (Fishman, Naumowicz, Quick, Tepper, and Totilo).

6. **ZBA Appl. 043-14 29 Fairland Street**, the applicant is requesting the following variances of Table III, Appendix B to build a one-story two bedroom house with a detached garage in an R -10 zone by granting relief 3.0 feet side yard on the east side, and 5.9 feet side yard on the west side requested instead of 10 foot minimum, and asking for 8.9 feet combined side yard requested in lieu of 20 feet minimum. After a brief discussion, Mr. Tepper moved to recommend that the ZBA deny ZBA Application 043-14, given the relief requested for the back yard and side yard reduction would be too small for the neighborhood, and that this application is not consistent with the 2002 Master Plan; Mr. Totilo seconded the motion, and it passed unanimously with eligible members present voting, 5 - 0 (Fishman, Naumowicz, Quick, Tepper, and Totilo).
7. **ZBA Appl. 044-14 106 Brookside Drive**, the applicant is requesting the following variances of Table III, Appendix B to build on an existing house in an R-7 - 1/2 zone by granting relief of rear yard setbacks of: 1) Southside addition 17.4 feet instead of 30 feet required, 2) Northside 16.3 feet requested in lieu of 30 feet minimum. After a brief discussion, Mr. Totilo moved to recommend that the ZBA deny ZBA Application 043-14, due to the lack of clear construction drawings explaining the existing proposal or what was being proposed, and that this application is not consistent with the 2002 Master Plan; Ms. Fishman seconded the motion, and it passed unanimously with eligible members present voting, 5 -0 (Fishman, Naumowicz, Quick, Tepper, and Totilo).
8. **ZBA Appl. 045-14 26 Ledge Lane**, the applicant is requesting the following variances of Table III, Appendix B to build a second-story addition in an R-10 zone by granting relief 6.7 feet side yard requested instead of 10 foot minimum, and asking for 18.5 feet combined side yard requested in lieu of 40 feet minimum, asking for a 30.1 foot front yard setback instead of the 40 feet required, and allowing a 55.10 foot street center setback instead of the 65 feet required. After a brief discussion, Mr. Totilo moved to recommend approval of ZBA Application 045-14, and that this application is consistent with the 2002 Master Plan; Ms. Fishman seconded the motion, and it passed with eligible members present voting, 4 to 1 (For: Fishman, Naumowicz, Quick, and Totilo; Against: Tepper).
9. **ZBA Appl. 046-14 2370 High Ridge Road**, the applicant is requesting a Special Exception in a RA-1 zone to allow a tool shed to be built at 19.6 feet above finished grade, which is 4.6 feet above the permitted height of 15 feet without a Special Exception; building rear yard setback has been increased from 5 feet typical to 10 feet proposed with greater than 1 foot per front of the building height over 15 feet. After some discussion, Mr. Tepper moved to recommend denial of ZBA Application 046-14; the denial is based on the fact that the shed in question appears to be located in the wetland, and that the proposed application is not in keeping with the character of the property and will negatively impact the neighborhood, and is not consistent with the 2002 Master Plan; Ms. Fishman seconded the motion, and it passed with eligible members present voting, 5-0 (For: Fishman, Naumowicz, Quick, Tepper, and Totilo).

10. **ZBA Appl. 047-14 831-833 High Ridge Road**, the applicant is requesting a Special Exception as per Section 19-3.2 (E) (3) (4) to build a new medical clinic of approximately 7,700 square feet. After some discussion, Mr. Totilo moved to recommend denial of ZBA Application 047-14, denial is due solely to the new building would be totally out of character with the neighborhood; however, the medical use proposed would be appropriate if the applicant were to reuse the existing two buildings (houses), and that the proposed application is not in keeping with the character of the property and will negatively impact the neighborhood, and is not consistent with the 2002 Master Plan; Mr. Tepper seconded the motion, and it passed with eligible members present voting, 5-0 (For: Fishman, Naumowicz, Quick, Tepper, and Totilo).

**Planning Board Meeting Minutes:**

1. **Meeting of 6/10/14:** After a brief discussion, Ms. Fishman moved to recommend approval of Planning Board Minutes of June 10, 2014; Mr. Tepper seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Fishman, Naumowicz, Quick, Tepper, and Totilo).
2. **Meeting of 6/17/14:** After a brief discussion, Mr. Tepper moved to recommend approval of Planning Board Minutes of June 10, 2014; Mr. Totilo seconded the motion, and it passed unanimously with eligible members present voting, 5-0 (Fishman, Naumowicz, Quick, Tepper, and Totilo).

**Old Business**

Mr. Quick presented the Board with a newspaper article to discuss specifically that Bridgewater will not be coming to Stamford, but will stay in Westport. In addition, Mr. Quick discussed the article on the animal shelter, suggesting that a goal in the Master Plan should be to find a suitable location for the Animal Shelter.

Mr. Tepper reported that the reorganization of SWRPA into its new organization – Western Connecticut Council of Governments was going smoothly, and that the MPO where the funding is located will not go north but will stay with the original eight SWRPA cities and towns.

There being no further business to come before the Board, Mr. Quick adjourned the meeting at 9:00 p.m.

Respectfully Submitted,

Claire Fishman, Secretary  
Stamford Planning Board

**Note:** These proceedings were recorded on tape and are available for review in the Land Use Bureau located on the 7<sup>th</sup> floor of Government Center, 888 Washington Boulevard, during regular business hours.